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PRECIS OF BRIEFS
on
Proposed Radio-TV Regulations
announced

12 February 1970

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Governments
Publications

E X P L A N A T O R Y N O T E

This Report contains Précis of the majority of Briefs submitted to the Commission respecting the Proposed Radio-TV Regulations announced in Toronto, 12 February, 1970.

The order of Précis in this report are:


First Section - Briefs respecting Proposed TV Regulations;

Second Section - Briefs respecting both Proposed TV & Radio Regulations;

Third Section - Briefs respecting Proposed Radio Regulations.



Programs Branch
10 April, 1970



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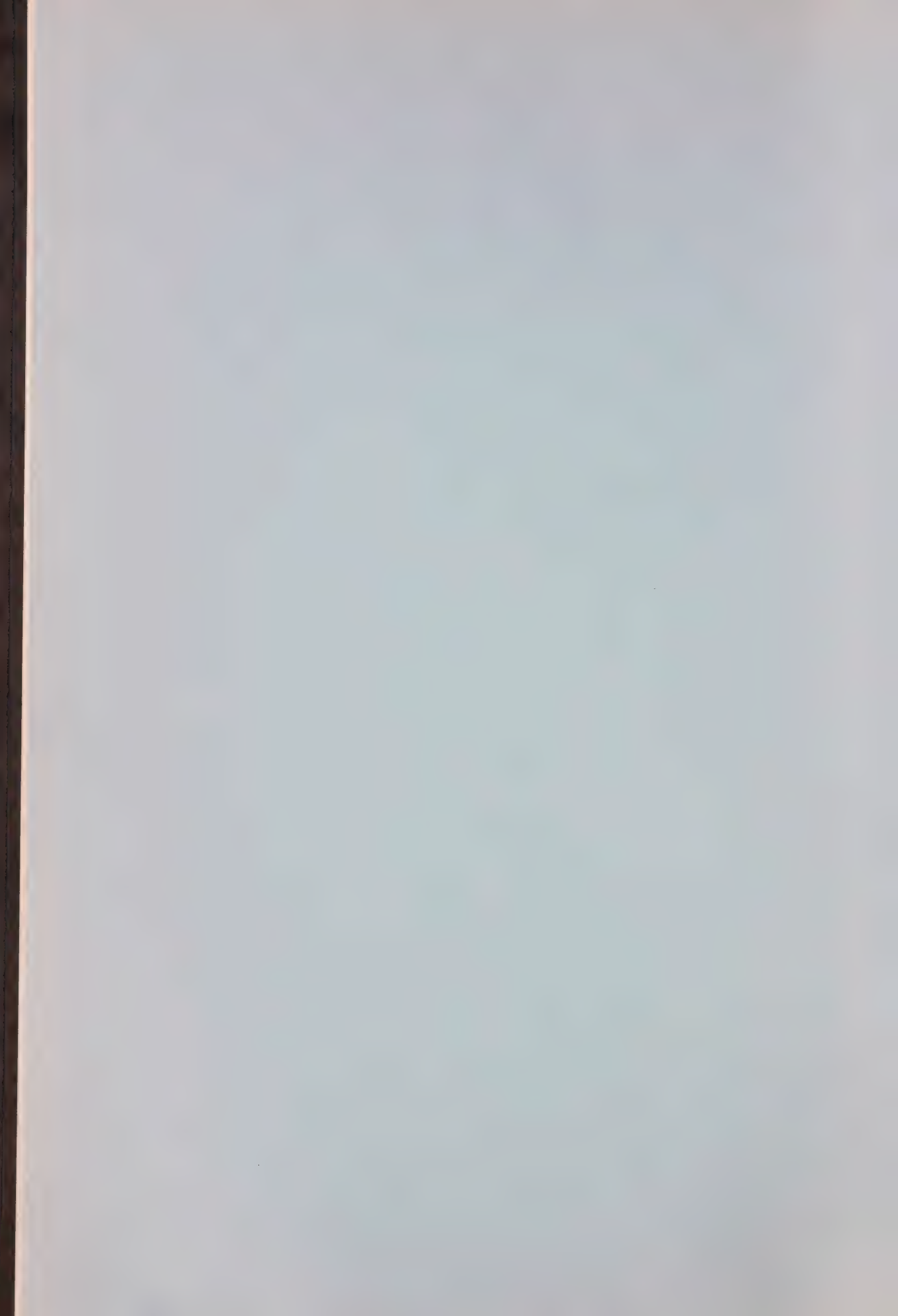
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F I R S T S E C T I O N

PROPOSED TV REGULATIONS



Summary of Brief

BRIEF OF BRITISH COLUMBIA TELEVISION BROADCASTING SYSTEM LTD.

Re: Proposed Amendments to the Television Broadcasting Regulations
CHAN-TV, Vancouver, B.C.
CHEK-TV, Victoria, B.C.

The existing competitive environment in Vancouver/Victoria market makes it the most highly competitive television area in Canada. U.S. channels available on cable television intensify competition for audience and sales. Revenue competition restricts the ability to produce Canadian programming. It is submitted that when a foreign programme is replaced with a Canadian programme, the viewers will watch this same foreign programme on the U.S. channels. "... we submit that implementation of the regulations as proposed on February 12th, 1970 would have the effect of ultimately driving our company to a condition of insolvency, and as a result would weaken the Canadian broadcasting system in British Columbia."

This brief submits that the best programmes which can be produced in Canada today cannot face U.S. competition in Vancouver and Victoria. If quantity is emphasized more than quality, "the proposed regulations will only serve to weaken the Canadian broadcasting system."

Broadcast Programmes Branch
April 9, 1970.

March 30, 1970

Submission by
CHANNEL SEVEN TELEVISION LTD.

Re: Proposed Amendments to the
Radio (TV) Broadcasting
Regulations.

Impact of the proposed regulations on stations located in areas close to the U.S. border would affect both audience and revenues. CJAY-TV does not feel that Canadian content increase will result in more Canadians looking at them.

This brief submits that no changes be implemented in 1970. It offers less stringent amendments than the CRTC proposals relative to allocation of time for foreign and Canadian contents of programmes.

Broadcast Programmes Branch
April 8, 1970

Summary of Brief

Submission by: CHCH-TV, Hamilton, Ontario.

Re: Canadian Content in Television Programming

CHCH-TV, a non-network station, feels that it should receive consideration in the matter of:

- time to reach the CRTC objectives,
- lesser requirements than the CBC and CTV networks,
 - especially during prime-time,
- lesser requirement for Canadian content during the 13 week summer vacation period,
- continued commonwealth content (to be considered Canadian)
- elimination of the 30% rule on foreign production from any one country,
- retention of the present prime-time definion (6:00 PM-Midnight).

Broadcast Programmes Branch.
April 10, 1970.

Summary of Brief

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March 31, 1970
CKVR-TV
Barrie, Ontario

Presentation by:
Ralph T. Snelgrove,
President

RE: Proposed New Television Broadcasting Regulations.

The writer indicates the likelihood that the television station CKVR-TV will be disaffiliated from the CBC. The proposed regulations would present a "gargantuan task" for an independent operation.

Canadian licensed CATV Systems should give priority to Canadian television stations over any non-Canadian station.

Recommendation for consultation with individual broadcaster before implementing proposed regulations.

BROADCAST PROGRAMMES BRANCH
April 8, 1970

Brief to the CRTC

Presented by ACTRA,
Calgary Branch.

RE: New Proposed Radio (TV) Broadcasting Regulations.

The Calgary Branch of ACTRA endorses the "ruling of the CRTC restricting the foreign content in prime time television. ACTRA also favours the "ruling that a minimum 30% of broadcast music must be Canadian in certain respects".

Canada does not need to wait another 100 years for a second EXPO to prove "that it possesses native creative and artistic talent. ACTRA recommends a restructure of the CBC so that more funds may be allocated to produce top quality domestic programming. Then, Canada may be able to express itself artistically in the world of satellites of the '80's.

BROADCAST PROGRAMMES BRANCH
April 8, 1970

Summary of Brief

March 26, 1970.

Submission to the CRTC by ACTRA, Edmonton, Alberta.

RE: CRTC Proposed Amendments.

Association approves principles set forth in proposal for limiting foreign content on TV to 40 percent in all time periods. Broadcasters in Edmonton are not contributing an atom to the nation.

Broadcast Programmes Branch
April 8, 1970

7. X
Summary of Brief

April 1970.

Brief to the Canadian Radio-Television Commission
from the DIRECTORS GUILD OF CANADA, Toronto, Ontario.

The Directors Guild of Canada supports the CRTC proposals for increasing the Canadian Content of broadcasting in Canada. Successful programmes, have proven that it is possible to achieve a competitive standard. Talent facilities and money do exist. A little initiative and ingenuity could place Canadian producers in favourable positions to induce American network money to come into co-production agreements. Advertising agencies import American personnel to produce commercials for Canadian market. The Guild suggests that broadcasters re-examine their own people who fail to recognize talent that is acclaimed once it has proved itself in the international market.

Broadcast Programmes Branch
April 8, 1970.

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Summary of Brief

March 1970.

Submission by: Association des Réalisateurs
Association des Réalisateurs de la Radio
Canadian Union of Public Employees
Association of Radio & Television Employees
of Canada (CUPE).

RE: Renewal of Licence of the CBC and CTV
Networks and General Comments on Broadcasting.

This brief supports the "60% Canadian Content rule which has been laid down" and deplores Canadian Content in "ghetto" times. Federal Government austerity measures have an adverse effect on CBC. Acknowledgement of the unfortunate demise of "CBC TIMES". The brief is concerned that amendments should be considered for other purposes than encourage higher standard of programming. Both networks are too oriented towards the metropolitan areas and, consequently, there is a lack of regional interest programmes across Canada.

NABET supports and endorses sections of this brief.

Broadcast Programmes Branch.
April 8, 1970.

Summary of Brief

Submission by: The Canadian Labour Congress

Re: The Proposed Changes in Broadcasting Regulations

The C.L.C. supports the proposed changes in the regulations with reservation as to the insertion of commercials into newscasts. This brief questions "the need for extra revenue to finance this form of public service" since it considers that the broadcasting media have an obligation to provide news and public affairs programmes and need not be "rewarded for doing what they ought to be doing in any event."

The C.L.C. denies that Canadian programmes would result in a downgrading from first to second class viewing opportunities. A minimal effort would be required to match the mediocrity of many American programmes. It may be difficult "to match the finest of the American programmes but it would be hard to match excellence no matter what source."

The C.L.C. considers the proposed changes as one progressive step in the direction of making broadcasting in Canada more fully a Canadian medium.

Broadcast Programmes Branch
April 9, 1970.

Summary of Brief

Submission by Don Harron

Re: Canadian talent opportunity in Canada

Mr. Harron states that even though he has returned to Canada since 1966, he still gets most of his income "from outside of Canada." However, his travelling across Canada has shown him that strong public support for regional theatre is evident in unlikely places where plays are being commissioned to illustrate local history. Canadians are beginning to be curious about themselves. Such curiosity is the beginning of a search for identity. Canadian Television must join this search.

Broadcast Programmes Branch
April 9, 1970.

Summary of Brief

Submission from Pierre Berton

Re: Canadian Programmes on Canadian Television

Mr. Berton deplores the existing broadcasting philosophy which sees the medium simply as an extension of the market place. Speaking from his own personal experience, Mr. Berton says it is possible to get an "audience of Canadians" and compete with American programmes without spending vast sums every day of the week.

Broadcast Programmes Branch
April 8, 1970

Summary of a Brief

Submission by:

Bruno Gerussi
Toronto, Ontario

RE:

CRTC Proposed Amendments

Mr. Gerussi states that the CBC and CTV networks and the many guilds representing the workers are guilty of becoming self-centered and protective of their particular interests and consequently losing sight of the original purpose of broadcasting.

Individuals and members of ACTRA must stop looking to the past and become again a creative force which influences the center and quality of programming in Canada. "Filling of airtime" is not broadcasting. Artists must be prepared to begin again not only to create an area of employment but to meet the challenge of simple, honest and informative broadcasting.

Programs Branch
10 April 1970

April 2, 1970.

Submission by: JAMES SHEARON,
Box 391, KANATA, ONTARIO

RE: CJOH-TV Licence Renewal

CJOH-TV would appear to devote prime-time almost exclusively to light entertainment programs most of which are syndicated American shows. CRTC may ask why there are no original dramatic productions or musical works of both cultures and programs which draw attention to contemporary Canadian issues. Mr. Shearon approves CRTC's proposals regarding Canadian content of private radio programs.

Broadcast Programmes Branch
April 8, 1970.

Submission by: Community Funds and Councils of Canada

RE: CRTC Proposal regarding television programme interruptions.

This group of associations opposes the amendment which would include public service announcements in the advertising classification. The view is held that broadcasters will favour advertising to public service announcements.

Broadcast Programmes Branch
April 8, 1970.

Remarks to the CRTC

RE: Proposed Amendments
to the Radio (TV)
Broadcasting Regulations.

BY: Mr. Paul J. Delahanty
Director of Communications
for Federation of Catholic
Charities, Inc.,
Montreal, P.Q.

Over-commercialization and the lack of quality in content of modern communications media are "turning off" today's young people, making these media less effective. Most "selling" of agency services is the result of person to person contact and not of commercial advertising. ".....I think that we must begin at least to question whether we gain enough from free commercial time to justify the pollution of communications media that results, and try to see that the positive step of aiding in less commercialism is a desirable end that is part of our function".

If the proposed amendments regarding Canadian Content are implemented there may be "more opportunity" to produce creative ideas that can be used in agency presentations to stations.

Broadcast Programmes Branch
April 8, 1970

mission by: The Citizens' Committee on Children (Ottawa, Ont.)

Canadian Content Proposals and Children's Television Programs

The CCC supports the proposal to reduce and definitely separate interruptions for commercials during programs. The CCC endorses the limit of 30% foreign content from any country outside of Canada. The 60% requirement should not be allowed to diminish Canadian programming during children's viewing time from 4:00 p.m. to 8:30 p.m. as this is an important means of acculturation. Commercial sponsorship of children's programs should be eliminated. Excessive repetition of the station and program name in a theme song should be considered advertizing. Package deals, in which unsuitable programs are thrown in with desirable ones should be prohibited.

Broadcast Programs Branch
April 8, 1970

Summary of Brief

Submission by:

U.S. BORAX,
per J. C. Campbell, Executive Assistant to
the Vice-President.

Re:

Canadian Programming Proposals

If the proposals are adopted, the only economic options available would be to dissolve consumer operations in Canada or to "continue only that remaining portion in areas which are provided television advertising support through U.S. television stations whose signals provide Canadian household coverage."

U.S. BORAX supports the Commission's desire to develop a Canadian image for Canadian television. However, Mr. Campbell submits that it would be more logical to attempt to compete with top quality programming rather than attempt to legislate quality.

U.S. BORAX produces the following programmes:

"PIONNEERS"
"TRAILS WEST"
"WESTERN STAR THEATRE"
"CALL OF THE WEST"

This company opposes the broadcasting regulation amendments proposed by the CRTC because if adopted, the new regulations would seriously limit the programmes mentioned above which have been the company's key advertising support in Canada.

Broadcast Programmes Branch.
April 8, 1970.

Summary of Brief

Submission by: The Association of Motion Picture Producers
And Laboratories of Canada

Re: The Proposed Amendments To The Radio TV
Broadcasting Regulations.

The Association supports the CRTC (Canadian) content proposals in principle and submits some definitions of foreign and Canadian programmes.

A recommendation is made regarding Public Service Announcements:

"... provided they are made in Canada, (they) should be excluded from commercial content regulations as long as they are from an approved list of foundations or agencies which do provide a valuable contribution to our way of life."

Broadcast Programmes Branch
April 9, 1970.

Summary of Brief

Submission by: Alderman Ben Nobleman, President,
Society for the Recognition of Canadian Talent.

Re: CRTC Proposed Amendments

This brief endorses the CRTC proposals.

Mr. Nobleman does not agree with Dr. Davidson who stated that competition forces the CBC to use a majority of American shows. CBC does not need to compete for revenues.

Other points mentioned in this brief are:

CBC neglects Canadian talent.
Private broadcasters should be pro-Canada.
U.S. discrimination against Canadian performers.

CRTC should have "night hearings" and invite the general public to attend and present oral submissions.

Broadcast Programmes Branch
April 8, 1970.

Summary of Brief

Proposal to the CRTC

BY: The Canadian UNICEF Committee
Paul Ignatieff
Executive Director

RE: Proposed new Television Regulations

Under the proposed new regulations, broadcasters would put profit before principle and the recipients of aid from developmental agencies such as UNICEF will be the first to suffer. It is recommended that CRTC devise a formula for allocation of proportion of time to public services messages by each station and network. Mr. Ignatieff also recommends that public service announcements be considered separate and removed from advertising time.

BROADCAST PROGRAMMES BRANCH
April 8, 1970

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Summary of Brief

March 26, 1970.

Submission by: Big Brothers of Canada

RE: Public Service Messages

This brief recommends that public service announcements,
should not be included in commercial classification.

Broadcast Programmes Branch
April 8, 1970.

Summary of Brief

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March 26, 1970

Submission by: Brian Kelly
Pollution Probe at the
University of Toronto

Re: "Response to Commercials" Brief submitted to the
CRTC regarding Public Service Announcements.

Supports brief of Professor Daniel J. Baum which asks for an opportunity for concerned groups to reply to advertising which promotes products having damaging or potentially damaging effects on our society or environment. Resources to produce public service replies are available. "The ruling needs to be made though, that we have the right to air time for this type of commercial response."

Broadcast Programmes Branch
April 9, 1970.

Submission by The Special Committee on The Media
Osgoode Hall Law School
York University, Toronto, Ontario.

Re: Public Service Announcements: Response to Commercials.

The following is a resume of this Brief's recommendations and conclusions:

- 1) It is fundamental to a democratic society that there exist a free interchange of information among the maximum number of citizens. This is made manifest in Federal legislation both generally and specifically. It finds expression in the Bill of Rights and the Broadcasting Act.
- 2) In its regulation of the broadcasting industry, the Commission should be concerned with how the media sells as well as how it entertains or informs.
- 3) To this end, the Commission should allow concerned groups in society free access to television in order to reply to advertising.
- 4) This would be achieved through the mandatory provision of 1 minute per hour for free-time Public Service Announcements (PSA) over and above the 12 minutes permitted for paid advertising materials. Each minute of PSA time would be divided equally between (a) announcements of a general community service nature and (b) Public Service Responses which would be composed of presentations prepared by concerned groups in reply to advertising material which relate to matters of public concern as defined in Sec.1 (a) of the Rule.
- 5) A concerned group could obtain PSR time on either a national network or local station upon application providing the petition requirements of Sec. 3 of the Rule are fulfilled. Each PSR would be broadcast the number of times the advertising material to which it responds has been broadcast, providing no PSR is broadcast more than once per day.

To advocate the right of a concerned public to voice its feelings about matters of public concern, is simply to reaffirm Canadian broadcasting policy as it has evolved over the last forty years. The long range interests of Canadian society will be best served by media which appraise the public of all points of view so that intelligent decisions may be made in all aspects of life - economic, social and political.

To do less would be to receive less - less of the kind and of the quality of life that the Commission has, since inception, sought to promote through broadcasting regulation and less of the kind of debate which nurtures a vigorous society.

Summary of Brief

Submission by: Brandon Ministerial Association Broadcast Committee

Re: CRTC Proposed Amendments

Public Service Announcements:

They should be exempted from the commercial classification.
Charitable organizations cannot afford to buy the time.
Stations will no longer promote community projects.

Proposed Regulations to Increase Canadian content on television
Programmes.

The Brandon Ministerial Association Broadcast Committee
unanimously objects to the proposal because it feels
that people want the best entertainment regardless of
the source.

The proposed increase "will provide more employment"
for more "mediocre Canadian" talent. The function
of the Commission is not to create employment oppor-
tunities.

The best Canadian talent will still go to the United
States.

Local churches cannot afford to produce quality pro-
grammes "and must rely on programmes prepared in a
foreign country".

Broadcast Programmes Branch
April 8, 1970.

February 18, 1970

Submission by: Medic-Alert
Foundation Inc.,
Toronto 5, Ontario.

Re: Public Service Announcements
Foreign Produced Public Announcements

The writer opposes the CRTC proposed Amendment which would include Public Service Announcements in the definition of advertising messages. A second concern expressed in this submission relates to "Public Service Television Spots prepared in the United States for International use and free to associated Canadian Organizations." The Medic-Alert Foundation Inc., "will not divert funds to a homemade product when these U.S. productions are available."

Broadcast Programmes Branch
April 9, 1970

Summary of Brief

Submission by: Saskatchewan Heart Foundation

Re: Public Service Announcements on TELEVISION

The Saskatchewan Heart Foundation submits that the proposed changes in regulation in connection with Public Service Announcements would virtually eliminate them as "we know them" to the great detriment of the Foundation and other similar organizations.

The Saskatchewan Heart Foundation recommends that the CRTC reconsiders the proposed changes so that such organizations will not be subjected to grave difficulties in carrying out their work.

Broadcast Programmes Branch
April 9, 1970.

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Summary of Brief

Received March 19, 1970.

The British Columbia Society for crippled children
The Kinsmen Rehabilitation foundation of British Columbia.

RE: Proposed Regulations in relation to Public Service
Announcements.

Both groups see the proposed regulations as
"perhaps too stringent in regards to public service
announcements". They propose that the CRTC allow
"one minute public service announcement for each
broadcasting hour" to be allocated as the station sees
fit.

Broadcast Programmes Branch.
April 8, 1970.

Summary of Brief

Submission by: The Canadian Safety Council

RE: Public Service Announcement Proposal.

They say that the Canadian Association of Broadcasters has suggested that stations will charge for public service announcements. The Canadian Safety Council requests that "the proposed amendments to the Act be written to enable the radio and television stations to continue programming free public service time to the same extent they are now giving".

They have attached an addendum outlining their campaigns for the year that would, presumably rely on free air time.

Broadcast Programmes Branch.
April 9, 1970.

Summary of Brief

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April 1, 1970.

Submission by the Canadian Council of the Blind, Alberta Division.
To the CRTC

RE: Proposed Amendments to the Broadcasting Regulations.

The C.C.B. members of Alberta Division are concerned regarding the proposal to include public service announcements in a commercial category.

Broadcast Programmes Branch
April 8, 1970.

S E C O N D S E C T I O N

PROPOSED TV & RADIO REGULATIONS

SUMMARY OF A BRIEF PRESENTED BY THE CANADIAN ASSOCIATION OF BROADCASTERS

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COMMENTS ON PROPOSED AM REGULATIONS:

1. It is often difficult to know the citizenship of performers, composers, or lyricists. The citizenship status of an individual can change between the day such information is assembled and the day on which a mechanical reproduction of their work is actually broadcast. Assuming such information could be assembled, it would be difficult to make it available to all appropriate stations on a continuing basis.

2. The number of selections which comply with regard to "Canadian content" is extremely limited. The resulting repetition in selections to meet the requirement in CRTC proposal 12 (1) of 192 "Canadian musical minutes daily between 7:00 A.M. and 11:00 P.M. would mean listener irritation and tend to bring about an unfortunate mental association between "Canadian" music and mediocrity. All stations in large centres would tend to sound alike. The available music does not adapt itself to the "sound" - programming policy - of broadcasting stations.

3. The period between now and Sept. 1/70 embraces the customary holiday period making it difficult to create new material to conform to 12 (1).

4. The form of the proposals would create unusual difficulties in the areas of religious and "ethnic" musical presentations.

5. CRTC proposal 4 (1) (i) would require the addition of extra people to handle the detailed paperwork. The resulting cost would be too big a burden for many stations. The information could be obtained instead through air-check or on spot-check basis by the CRTC.

6. While the meaning of proposal 5 (1) (k) is not clear, it would mean serious practical and economic burdens. Also, it would hinder stations which have high community involvement and an active newsroom, especially with regard to conversations at the scene of a news happening, or in the case of contests.

Questions raised by CAB: Is it essential that there be an exact air-check copy of all programming broadcast by any station?

COMMENTS PROPOSED AMENDMENTS TO TELEVISION REGULATIONS

Brief submits that there is a combination of factors to be considered in the CRTC proposals:

- Redefinition of advertising material which now includes promotion announcements for new programmes.
- no increase in the permissible number of interruptions
- proposal for "a separation" preceding commercial messages and possibly following them
- reduction of number of imported programmes

Additional domestic programming assumes a high degree of promotional activity which is now limited by the proposed maximum of 12 minutes. All this coincides with increased competition (e.g. CATV), business turn down and Federal Government austerity measures.

Broadcast Programmes Branch
April 8, 1970

TV

national prog category
special merit

with dubbing - same credit

co-production - same as usual in assigning credit in Can. (120%)
+ outside (100%)

Technical problems - time zones i.e. progs out of prime time in east

Radio

4 hr. time periods

need to categorize music by examining library

Summary of Brief

SUBMISSION BY THE CANADIAN BROADCASTING CORPORATION TO THE CRTC

Re: PROPOSED AMENDMENTS TO BROADCASTING REGULATIONS

TELEVISION

This brief endorses the proposed amendments, but recommends a varying application of the regulations relative to particular circumstances of CBC networks and stations. The Corporation submits that the definition of certain terms may need further consideration because they may not meet a number of situations or may give rise to practical difficulties, e.g., "advertising material," "programme", "in body of programme", "interruption."

The CBC brings to the Commission's attention several points which it believes the proposed Canadian content regulations should take cognizance of. These are: the measuring period, the need for an international or universal "programme category", time zone differential problems, seasonal variations, international co-productions and audio dubbing.

Problems may arise out of certain proposals put forward by the CRTC: 3 second separation between programme and commercial; programme interruptions in programmes from LIVE U.S. networks over which CBC has no control (Ed Sullivan Show has 6 interruptions).

RADIO AM - MUSIC

Support:

The CBC is prepared to support the "legitimate demands of an enlightened Canadianism" in the international world.

Objections:

Member stations would have great difficulty in logging the Canadian music content of network programmes.

The CBC's present cataloging system for recordings doesn't include Canadian content information so that reporting will be inadequate and subject to error for some time.

Suggestions:

The Canadian music content requirements apply only to music originated by each station when broadcasting independently (i.e., not as part of a network) and that the CBC be made responsible for supplying to the Commission satisfactory evidence of the Canadian Content of all music in its network programmes.

A joint study should be set up (involving CRTC, CBC and private Broadcasters) to examine the problems and recommend procedures re identifying cataloging and reporting Canadian content in broadcast music.

* 13 who gather then 49 pre-empted + summer time more difficult
Oct. 1 rather than Sept. 1
divides reasons

Radio AM - Music (Cont'd)

The CBC uses a lot of Canadian music from 11:00 p.m. to midnight and feels that the 4-hour time block should be extended to allow recognition of this fact. Also, the starting time for the day should be 6:00 a.m.

The most fruitful approach would be to have one regulation apply to private licencees and a comparable, but not identical one apply to the CBC. The purpose of this would be to "recognize operating realities and give the regulations maximum effectiveness.

Broadcast Programmes Branch
April 9, 1970.

Summary of Brief

March 31, 1970.

Brief submitted by: CFPL Broadcasting Limited,
London, Ontario.

RE: Proposed Amendments to Broadcasting Regulations.

CFPL Broadcasting Limited generally agrees with the amendments to the regulations as proposed by the CRTC but feels that implementation should be gradual. This brief suggests that the CRTC considers some form of dispensation for the foreign content classification from important "specials" of international interest.

Broadcast Programmes Branch.
April 8, 1970.

Summary of Brief

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March 29, 1970.

Submission by: Paul Vavasour, President,
ACTRA, St. John's, Newfoundland.

RE: CRTC Proposal to Canadian Content Regulations
- on television
- on radio

This Association endorses the recommendations of the CRTC. Comments regarding the poor situation of local talent in Newfoundland.

"In the past week, however, the CBC has decided to use the audio portion of a local television programme in their radio schedule probably next September and following. This is a direct result of the Commission's recommendation concerning musical programming on AM radio".

Broadcast Programmes Branch
April 8, 1970.

Summary of a brief presented by the Canadian Music Publishers Association.

The Association is mainly concerned with Canadian composed and Canadian published music.

Main areas of concern in their brief:

1. they endorse 30% "canadian content" on AM radio.
2. they propose a "Canadian content" requirement for FM broadcasting - perhaps 15% or 20%.
3. they propose that the Commission require that 40% of the music used on the proposed 60% of Canadian produced TV programs fall within the limits of "Canadian content".
4. they suggest that the CMPA be recognized as the arbiter of "Canadian content" with respect to the composed, author and publisher, and that The Canadian Record Manufacturers Association be recognized as the arbiter of "Canadian content" with respect to the performers and artists in recorded music. (The CMPA and the CRMA are already negotiating with the two Performing Rights Societies to compile a comprehensive list of "Canadian content" music available, with regular monthly supplements to keep it up to date.)
5. they would object to the works and performances by people such as Paul Anka, Percy Faith, etc. who have long ago left Canada and found success in other countries being deemed "Canadian content".
6. they believe that domicile for a period of 12 consecutive months should be the desirable criterion to determine if an artist is Canadian for purposes of "Canadian content".
7. the four criterion established in paragraph 12. (1) (b) be increased to five, the fifth one to be that the composition be not only composed by a Canadian but that the copyright be owned or controlled by a Canadian music publisher. This would keep a considerable portion of the revenue in Canada. If this fifth criterion be accepted and incorporated in the "Canadian content" concept, they recommend a three point definition of what constitutes a Canadian music publisher and offer an amended paragraph 12 (1) (b):
 "Effective October 1, 1971, a minimum of 30% of the musical compositions broadcast in each of the time periods specified in Section 12 (1) contain any combination of THREE of the following conditions."

Broadcast Programmes Branch
 April 8, 1970.

Summary of Brief

Submission by: Canadian League of Composers

Re: Canadian Content Proposals

Comments concerning AM RADIO

No mention was made, in the C.R.T.C. proposals, of "Canadian Creation." A reasonable portion of the music broadcast in the time periods specified should be created by Canadian composers.

Comments concerning TELEVISION

The proposals should include recommendations to ensure a place for Canadian music. Canadian television dramas and documentaries should make consistent use of Canadian composers and musicians.

Broadcast Programmes Branch
April 9, 1970.

Summary of Brief

Submission by: Mr. A. M. Cairns, Calgary, Alberta

Re: Proposed Canadian Content Proposals regarding Television Programmes

Mr. Cairns opposes the proposed Amendments to Canadian Content regulation regarding television programmes. He recommends a policy of no limit on foreign programmes on Canadian television stations. He states that even though non-Canadian AM Radio stations are received in Canada, Canadians still listen to Canadian stations.

Broadcast Programmes Branch
April 8, 1970

Summary of a Brief presented ACTRA

RE: Proposed Broadcasting Regulations.

37

TELEVISION

ACTRA welcomes the CRTC's first steps to regulate the incidence and density of advertising on television. As for Canadian content, CBC does not hesitate to import U.S. talents for its production and is more concerned with what the U.S. and the rest of the world would like to see than producing Canadian programme interesting to Canadians. Suggestion of removing advertising from the CBC in order that it would not have to compete for revenues with CTV and other U.S. networks. Quality in Canadian production can reach a level where it would succeed in attracting many viewers. Many take part in the decision-making process of the Canadian broadcasting system, but what part does the audience play? None. ACTRA states that both private and public television services have failed miserably to provide adequately opportunities for Canadian talent and self-expression, generally.

MUSIC ON AM RADIO:

Their suggestions: A provision in the proposed regs. which defines a Canadian recording as one which either has its music or lyrics written by a Cdn. or one in which the copyright in the material is held in Canada.

A (see p. 66.) (commercial restrictions on CBC Radio should be removed. CBC Radio should be used for the development of Cdn. talent and experimentation in form. It should reflect both the minorities and the majorities.

Broadcast Programmes Branch
April 8, 1970.

Summary of Brief

Submission by: The Canadian Broadcasting League
by Graham Spry.

RE: Canadian Programming Proposals of the CRTC
Network Licence Renewal.

This brief supports the principle of the Canadian programming proposals of the Canadian Radio-Television Commission. There are many recommendations regarding the production of Canadian television programmes, especially in the private sector of the Canadian television services. The Broadcasting League states that the private sector "has a sixth greater operating revenue than the CBC but offers less service than the CBC. Money needed to create and finance a Canadian programme pool to assist in expanding Canadian programmes on private stations may be found in the group of 50 stations with annual operating revenues each in excess of \$1 million. With this aim in mind, this submission recommends a detailed public examination of private broadcasting finances. The Canadian Broadcasting League rejects the "C.A.B." plan to destroy the CBC and the NFB and to seek a subsidy to provide Canadian programming to private stations at the expense of the taxpayer. The League endorses the licensing of CTV and CBC.

Broadcast Programmes Branch.
April 8, 1970.

T H I R D S E C T I O N

PROPOSED RADIO REGULATIONS

Precis of
Brief Submitted by:

Laurentian Music
(R.H. Hahn) Montreal, P.Q.

39

Radio AM - Music

Support:

An incentive to record Canadian Content in Canada and develop Canadian artists and composers.

Objections:

The copyright and publishers have been disregarded in the CRTC proposals.

1. If proposals (i) and (iv) are the two qualifying conditions, the Canadian artist, recording in Canada, may record only foreign copyrights, to the detriment of Canadian writers and composers.
2. Foreign publishers could come into Canada, sign up all the best writers in an exclusive contract, and never return to Canada. These writers' products would qualify as Canadian content (words and music) for all time.
3. The copyright brings money back into Canada - e.g. when Harry Belafonte records material written by Gordon Lightfoot. Therefore, it must count as "Canadian content" when non-Canadian artists record Canadian copyrights.

Suggestions:

The following points were made in a brief submitted prior to the CRTC proposals:

1. Sub-published works should qualify as "partly Canadian content" to induce foreign publishers to "reconsider their views with respect to Canada and more importantly, 50% of all monies earned on sub-published works would remain in Canada."
2. Trade publications are a determining factor in the overall merchandising of records: "Canadians subscribe to more copies of BILLBOARD than anyone else, next to the Americans themselves. ... the charts ... are used extensively in Canada when determining programme lists. This works to the detriment of Canadian recordings as they are not listed in these charts."
3. on "single" records, one side must be written by a Canadian and the copyright must be published in Canada. The other side must be sub-published in Canada.
4. On LP's, 2/3's of the playing time must be Canadian.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Philip Wedge,
Toronto, Ontario

Radio AM - Music

Support:

Nil

Objections:

The proposed regulation militates unfairly against the public. Stations will not be able to present a well-rounded program of music when to play a 2:30 opera they must, in the following hour and a half, program one hour and twelve minutes of Canadian music.

Stations that take a little more trouble with their programming than just playing a certain type of music, such as CHIN with its ethnic programs and CFRB with its programs built around a theme, i.e. Calling All Britons, Down Memory Lane and Starlight Serenade, will not be able to sustain a 30% Canadian content.

Programs will disappear or have to be rescheduled.

Suggestions:

If proposed rules cannot be reworded to enable stations to retain these programs, permission should be given to spread its 30% over 5 or 6 hours on a unilateral basis.

Precis of
Brief Submitted by:

Ray Sonin, on behalf of programs
broadcast over Radio Station
CFRB, Toronto, Ontario

41

Radio AM - Music

Support:

Nil

Objections:

Regularly scheduled programs presenting a special theme based on use of specialized records intergrated with a prepared script would be unable to continue in their present form if 30% Canadian insisted on: Examples:

"Calling All Britons" aired Saturday, 4:10 to 5:45 continuously since September 1958 (latest ratings 114,150- adults over 18) uses records of British and Irish artists intermingled with news and items of interest for people with ties with Great Britain. Thirty per cent Canadian in this type of program would be out of character.

"Down Memory Lane" (latest ratings 50,000) aired since January 1968 uses records covering the period from 1910 to 1958 - most records genuine old flat 78 rpms. Records chosen at request of listeners. The number of records made in Canada that fall in this category is virtually nil. (Sonin lists performers, originally Canadians, and hit records made in Canada that are in his collection - approx 21.)

Memory Lane is followed by two hours of Starlight Concert comprised of classics and light classics; because of its specialized nature it would be difficult to maintain its present format with the small amount of Canadian classical recordings so far available.

Suggestions:

Exempt specialized programs for the benefit of Canadian listeners as well as the originators of the programs - not to do so would wipe out radio originality and individuality.

Canadian talent recognition should not be confined to song writers, singers, musicians or manufacturers of records. Canadian talent in people who express some form of creativity in writing, producing and broadcasting specialized programs should be recognized.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Radio Station
CFRY, Portage la Prairie,
Manitoba

Radio AM Music

Support:

Nil

Objections:

People will use tapes and records to listen to their favourite music if they can't get on the radio.

CFRY's main weapon in the competition for audience is local newscasts in which the whole station participates. Having to make music lists, etc. to meet the proposals means less time for good newscasts, etc.

To document records and keep logs would be too much of a financial burden. Full time recording is too expensive.

Suggestions:

Nil

Programs Branch
8 April 1970

The Composers, Authors and Publishers Association
of Canada Limited.

Radio AM - Music

Support:

C.A.P.A.C. fully endorses the principle of regulatory action by the
C.R.T.C. to introduce 30% "Canadian content"

Objections:

Because of the way the recording industry is set up, the average Canadian
performer does not get much in return for his contribution to "Canadian content"

The market does not have enough in it to sustain the required level
of acceptable Canadian content.

The proposed regulations would allow a musical composition to become
"Canadian" by performance and production even though the musical composition
itself is totally non-Canadian. This would "close the doors of opportunity
even more tightly than at present to Canadian composers/authors.

Suggestions:

1. The names of composers, lyricists, and recording companies must appear
on music sheets or play lists.
2. 5% of the Canadian compositions broadcast shall meet the
conditions that the music was composed by a Canadian and/or the lyrics were
written by a Canadian. (between October 1, 1971 and September 30, 1972)

This condition will be raised to 10% between October 1, 1972 and September 30, 1973
and to 15% between October 1, 1973 and September 30, 1974.

Programs Branch
8 April 1970

44

precis of
Brief Submitted by:

CKEY Radio Station,
Toronto, Ontario

Radio-AM - Music

Support:

"A regulation requiring Canadian Music Content is desirable ..." Endorse in principle the position taken by the Canadian Association of Broadcasters in its brief.

Objections:

1. There are not enough competent people in Canada to expand and develop a successful Canadian music publishing and recording industry.
2. There is only enough money here to "begin production on a realistic scale leading to the growth of a substantial industry."
3. The proposed specifics of 30% Canadian music by October 1, 1970 are extremely hard, if not impossible, to attain without a substantial sacrifice of quality and lowering of standards. What they propose is more time.

Suggestions:

CKEY has a computerized system for keeping track of and reporting on any regulation for logging purposes which could be offered to any other station at a cost less than the cost of one clerical person.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Radio Station
CFCO Chatham - Wallaceburg, Ontario

Radio AM - Music

Support:

CFCO endorses the desire to create greater opportunities for Canadian performers, writers and composers.

Objections:

CFCO cannot meet the 30% requirement by October 1, 1970 without sacrificing the quality of its sound.

The proposals should be directed at the recording industry to make Canadian music available.

The "Canadian fact" is promoted more through news and information services than through music.

Suggestions:

Any reference to maximum or minimum percentages within the proposals should be eliminated. The hourly logged time block should be eliminated. A consultative committee of broadcasters, commission members and members of the recording industry formulate a plan of action to promote Canadian talent.

Any reference to a starting date should be eliminated to give the music industry time to assess what is available and what could become available.

Each station be required to give to the Commission, either by a percentage or a number, a general idea as to the trend of Canadian content, by logging the music played on a given day.

Programs Branch
9 April 1970

4C

Precis of
Brief Submitted by:

CFRC AM Educational Radio Station
Queen's University Kingston, Ontario
Radio AM Music

Support:

CFRC supports the motives behind the proposed regulations and attempts to encourage Canadian talent (especially local talent).

Objections:

CFRC is run by a student volunteer staff and broadcasts 37 1/2 hours weekly. 30% Canadian content in some of their programs, e.g. "Classics by Request" would involve a lot of repetition. This could destroy the unique character and service of the station.

Operational problems, e.g. in paperwork and logging, may place too much of a burden on the student staff.

Suggestions:

Nil

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

47.

CFPL Broadcasting Limited
London, Ontario
Radio AM - Music

Comments confined to Section 12. (1) (a) and (b) of the proposed regulations.

Support:

The minimum of 30% Canadian music will be no problem for them:

1. CFPL-AM is a community-information orientated station. Music takes up 38% of the total week day broadcast.
2. To provide comprehensive service, it is necessary to repeat many features in their programming schedule. e.g. Canadian music.

Objections:

1. A minimum percentage of Canadian music may not be the most realistic approach to strengthening Canadian identity of AM broadcasting.
2. In a community-involved radio station, informational programming is more important than the music broadcast.
3. Some stations might meet the proposed minimum Canadian music requirement but be importing syndicated "talk" shows from the U.S.A.

Suggestions:

The Commission enact a regulation which would take into consideration the total programming output of a station with regard to Canadian Content, rather than just enacting a regulation applicable to music only.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

48

Radio Station CHQM, Vancouver, B.C.
(W.E. Bellman)

Radio AM - Music

Support:

Nil

Objections:

1. CHQM is a "high class" station - not enough high class Canadian records are available to qualify for broadcast on CHQM.
2. CHQM evening Starlight Concert contains six musical items over the 2 - hour period. To follow the 30% rule, two of the six would have to be Canadian. Again, there is not enough material. The Commission is forcing the station to drop this program.
3. Christmas would have to be cancelled on CHQM or given a seasonal pardon from the new regulations.

In essence, adoption of the new regulations would force CHQM out of business.

Suggestions:

Nil

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Radio Station
CFMB, Montreal, Que

Radio AM - Music

Support:

CFMB supports new Canadian talent and will have no difficulty meeting the 30% requirement prior to 5:30 P.M. Monday to Friday.

Objections:

CFMB is a bilingual station serving new Canadians. It carries extensive education and ethnic programs. There are not enough foreign language Canadian compositions or music recorded in this country.

Suggestions:

CFMB requests permission to appear before the Commission during the April Hearing to discuss the said proposed Regulations.

Programs Branch
8 April 1970

49.

Precis of Brief Submitted by:

Song In Your Heart Publishing Ltd.
(Allen Parker, Pres.) Vancouver, B.C.

Radio AM Music

Support:

In Theory

Objections:

Perhaps an equalizing subsidy can be provided for albums of all original material using full orchestration.

Suggestions:

(C.R.T.C.) Section 12 (5) should read:

"The composition is published in Canada by a Canadian owned publishing company. Also: Canadian owned copyrights recorded anywhere in the world should qualify as Canadian."

He also includes his briefs regarding Tax Reform and recommendations for changes in Customs and Excise Regulations for the Canadian Musical Industry. These two briefs have not been summarized although they are also addressed to the C.R.T.C.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Radio Stations
CFAM, Altona, Man. and CHSM, Steinbach, Man.

Radio AM - Music

Support:

In sympathy with the goal of stimulating and encouraging and rewarding talented Canadians.

Objections:

" ... General guidelines and criteria of performance would have been ... a preferable first step toward the objectives you seem to have in mind." (They don't like a "hard set of regulations".)

They hope that "the proposed regulations are a first draft for discussion purposes ...":

"Canadian content" would mean repetition of music, a complete change of programming format, and a sound just like any other station in Manitoba.

The logging requirement will mean more paperwork and a strain financially.

A thorough search and individual letters to the people involved with each album to determine Canadian content in the stations' library would be expensive and time-consuming.

Moreover, many performers may be Canadian but make their home out of the country, e.g. Robert Goulet, Percy Faith, etc.

Suggestions:

1. An addendum to the four criteria in the proposed AM Regulations:

"Music composed prior to the completion of Confederation in 1905."

Alternatively, "Exempted from inclusion in these time periods are:

"Regular program periods consisting exclusively of music composed prior to the completion of Confederation in 1905, for which application as such has been made to the C.R.T.C. and has been recognized and acknowledged accordingly."

also:

"Exempted from inclusion in these time periods are:

"Regular program periods directed toward specific ethnic minorities, other than English or French, consisting of music from their homeland, for which application as such has been made to the C.R.T.C. and acknowledged accordingly."

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

The Canadian Council of Performing
 Arts Union

Television

The imbalance between Canadian produced English and French shows and the absence of top English Canadian shows reflects the looseness of the present regulations. The CBC's idea of Canadian content is to produce public affairs programs almost to the exclusion of Canadian entertainment programs.

Suggestions:

1. Non-Canadian programming on the CBC be limited to 25%, only 15% of which may come from anyone country.
2. Private stations and network adopt the measures announced by the Commission.
3. A percentage of the Canadian content must be devoted to Canadian entertainment.

Radio-AM Music

Support:

They support the recommended proposals and believe that Canada has the resources to see that they are carried out.

Suggestions:

1. A Canadian shall mean a Canadian citizen or a person normally resident in Canada.
2. A "Canadian program" shall be one that is produced in Canada using Canadian creative, performing and other resources OR produced by a Canadian OR produced by a company registered in Canada whose major shareholders are Canadian and whose creative, performing and other resources are predominantly Canadian OR sports and athletic events, news reports and co-productions (50-50 Canadian partnership with predominantly Canadian talent and resources). (Definitions of "Creative", "performing" and "resources" are included in the brief).
3. Instrumentation and lyrics on Canadian recordings shall be principally performed by Canadians (first year), plus one of the following:
 Between October 1, 1970 and September 30, 1971:
 - a) the music to be composed by a Canadian.
 - b) the lyrics to be written by a Canadian.
 - c) the performance to be recorded in Canada.

Effective October 1, 1971, two of the above (a) (b) or (c) conditions.

Programs Branch
 9 April 1970

Precis of
Brief Submitted by:

Toronto
Radio Station CHFI, Ontario

Radio AM - Music

Support:

CHFI wholly endorses and supports the proposed regulations regarding Canadian music.

Objections:

The quantity of available Canadian music is large but the quality is not that good. Excessive repetition of the few good artists would be necessary.

It is difficult to evaluate the reliability of record companies to develop etc. new talent, especially in fields other than rock.

It is impossible for CHFI to meet the proposed starting date of October 1, 1970 since their library will have to be searched to identify Canadian music, etc.

Rigid adoption of the proposed regulations could lead to sameness of sound and/or format in radio stations.

"The Better Kind of Music" would be severely reduced leading listeners to assume that "Canadian talent is inferior."

Suggestions:

1. The October 1, 1970 starting date be extended 6 months.
2. The initial requirement of 30% be reduced to 10% with yearly increases to the 30% and maybe even higher.
3. The 4-hour block condition be removed and be replaced by a percentage requirement embracing the hours from 6 a.m. to midnight.
4. Certain ex emphasis or reductions in the percentage requirements should be allowed in category 10 music; ethnic music, etc.
5. One of the 4 qualifying conditions for Canadian talent be re-defined to include talent that was "trained and nurtured in Canada, but may now be performing elsewhere."

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

Radio Station
CJJC, Langley, B.C.

Radio AM Music

Support:

CJJC supports a proposal to fill 30% of their program fare with Canadian culture.

Objections:

Broadcasters would respond to a serious request to "Canadianize" their performances without an unnecessary set of arbitrary rules of percentage, which take away the joy of creative programming.

A "forced" plan would mean the use of substandard production and mastering quality. Therefore, the improvement must be made at the source before stations can use the material to fill the "Canadian content" requirement.

Instead of nationalism as a goal of broadcasting, "one world" should be the goal and can be -- through the one universal language, music, no matter what its national origin.

The methods of checking performances should be simplified. Tape-recording EVERYTHING on the air would eliminate the paperwork and logging which would restrict creative programming.

Rather than add chores to the Broadcaster, he should be provided, by the production industry, with a good production on an identifiable Canadian label.

Suggestions:

Dispense with the proposed amendments, and instead establish a 1970 Conference on Broadcasting Policy - a Five Year Plan.

This would involve ALL the people of Canada. A cultural involvement conference, sponsored by the C.R.T.C., with participation by AM, FM, and TV Broadcasters and responsible authorities from A.C.T.R.A., C.A.P.A.C., B.M.I., the Musicians Union, sales and production people from the domiciled recording companies, the N.F.B. and the Canada Council, will draft a realistic five-year plan to do voluntarily and willingly what the proposed amendments hope to achieve.

Necessary incentive may be presented: scholarships, grants, rewards, prizes, trophies etc.

Broadcasters who voluntarily increase the use of Canadian content could qualify for licensee fee rebates and preferred positions in licence applications.

Programs Branch
8 April 1970

Precis of
Brief Submitted by:

55

L'Association des Réalistes de
la Radio

Radio AM Music

Support:

They support the idea of an increase in Canadian content as long as quality is considered to be as great a factor in realizing the goal as quantity.

Objections:

Nil

Suggestions:

Nil

Programs Branch
9 April 1970

Recis of Brief Submitted by:

Canadian Music Centre
Mr. Keith MacMillan,
Toronto, Ontario

Radio AM - Music

Support:

Supports proposed changes.

Reactions:

Nil

Suggestions:

Strong recommendations that similar changes be considered in FM broadcasting.

Programs Branch
9 April 1970

Precis of
Brief Submitted by:

Radio Station CHIN,
Toronto, Ontario.

57

Support:

CHIN supports the aim in its proposal regarding Canadian music content.

Objections:

40% of CHIN's broadcast time is of an "ethnic" type - mostly music. To comply with the new regulation would destroy the musical format of the station and leave its large foreign audience without radio entertainment in their native tongue.

Suggestions:

CHIN-AM should be considered a valid "special case" with respect to the proposed regulation on Canadian music and be given "special dispensation".

That is, the suggested music content regulation be staggered over a 3-year period where CHIN-AM is concerned. Specifically, 10% effective September 1, 1970, 20% effective September 1, 1971 and 30% effective September 1, 1972.

The CRTC should publicly proclaim through all media that the broadcaster is not solely responsible for increased Canadian content and that the recording industry as a whole will have to pull its weight.

Programs Branch
9 April 1970

Precis of
Brief Submitted by:

Radio Station CFML, Cornwall, Ontario

Radio AM Music

Support:

Generally, CFML supports the principle of a Canadian content requirement.

Objections:

It would be difficult and costly to determine the Canadian content of their available discs. Because this is a small station it would mean hiring a new employee to handle the added paperwork. In any case the time limit is too short.

The person responsible for logging is also in charge of traffic. He doesn't have the time to perform the logging requirement in the proposed regulation.

Therefore, another person would have to be added to the payroll - something their budget wouldn't allow.

Suggestions:

They keep tapes for 30 days of everything on the air. These are at the disposal of the CRTC and could suffice as a check to see if they are fulfilling the requirement regarding 30%. The Commission should keep in mind CFML's added workload as well in translating all the commercials, etc. which arrive prepackaged for English radio.

Programs Branch
9 April 1970

Precis of
Brief Submitted by:

The Association of Canadian Television and
Radio Artists.

Radio AM Music

Support:

In a very general way, A.C.T.R.A. voiced its enthusiastic support of the proposed regulations.

Objections:

Even stricter regulations should be imposed regarding the use of foreign content, especially in advertising, on the airwaves.

Suggestions:

A provision should be added to the proposed regulations which defines a Canadian recording as one which either has its music or lyrics written by a Canadian or one in which the copyright in the material is held in Canada.

The CBC should be relieved of its obligation to carry commercials, and that new methods of financing the corporation be developed.

The CBC should extend its operations to cover the whole field of communications; develop more flexibility in its production techniques, and reconsider its pattern of operation with regard to broadcasting all day, for example.

CBC Radio should be used for the development of Canadian talent and experimentation in form. It should reflect both the minorities and the majorities.

